

**REMARKS**

In the last Office Action,<sup>1</sup> the Examiner rejected claims 6 and 8 under 35 U.S.C. § 112, second paragraph, as being indefinite and rejected claims 1-4, 6, and 7 under 35 U.S.C. § 103(a) as being unpatentable over Japanese patent application publication number 08-293159 to Matsumoto et al. ("Matsumoto") in view of U.S. Patent No. 6,748,085 to Yang ("Yang"). Applicant respectfully traverses the above rejections for the reasons that follow.

By this Amendment, Applicant has amended the specification on pages 5-7 and 10 and has amended claim 8. Claims 1-4 and 6-8 remain pending.

**A. Rejections Under 35 U.S.C. § 112, Second Paragraph**

Applicant respectfully traverses the rejection of claims 6 and 8 under 35 U.S.C. § 112, second paragraph.

As to claim 6, the Examiner alleged that it is not clear what element described in Applicant's specification "reads on the recording section" because the specification "recites that the system control section 5 records data in a file in a recording medium." See Office Action, page 2 (citing page 5, lines 21-23, of Applicant's specification). By this amendment, Applicant has amended the specification on page 5 to more clearly define the recording section and distinguish it from the system control section. Support for this amendment may be found at least in claim 1 of the original disclosure, as well as the specification at page 5, lines 16-23, which describes the functions of control

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<sup>1</sup> The Office Action contains statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

section 5 as recording “compressed data as a file in a recording medium (semiconductor memory card) 6.”

As to claim 8, the Examiner alleged that the claim recitation, “wherein the detection section detects whether or not the voltage of one of the terminals is equal to the ground voltage when the power of the apparatus is turned on,” is indefinite. The Examiner alleged that this recitation is indefinite for two reasons.

First, the Examiner alleged that claim 8 is indefinite because “[t]he specification discloses on page 10, lines 11-24 that when the power is turned on that the system control section reads Vdet and . . . determines whether Vdet is smaller than the predetermined threshold value, not equal to the threshold value.” See Office Action, page 3. As to the first allegation, Applicant has amended the specification, on page 10, to more clearly explain that the system control section compares Vdet with a predetermined threshold value to detect whether or not Vdet is equal to a DC voltage of 0 V. Support for this amendment may be found at least on page 7, line 23, through page 9, line 7, of the original disclosure.

Second, the Examiner alleged that claim 8 is indefinite because “the specification does not specifically disclose that the power mentioned is the power of the apparatus.” See Office Action, page 3. As to the second allegation, Applicant has amended claim 8 so that the power mentioned is the power from the microphone power supply section recited in base claim 6. In addition, Applicant has amended the specification, on page 2, in a similar manner. Support for these amendments may be found at least in Figs. 2 and 5 and a corresponding description of microphone power supply 19 on page 6, line 26, through page 7, line 3.

For the reasons given above, Applicant respectfully requests that the Examiner withdraw the rejection of claims 6 and 8 under section 112, second paragraph.

Further, since the Examiner did not reject claim 8 over any of the cited art, Applicant submits that since claim 8 meets the requirements of section 112, second paragraph, claim 8 recites allowable subject matter.

**B. Claim Rejections Under 35 U.S.C. § 103(a)**

Claims 1-4, 6, and 7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsumoto in view of Yang. Applicant respectfully traverses the rejection for at least the reason that there is a lack of motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention.

To establish a *prima facie* case of obviousness under 35 U.S.C. § 103(a), each of three requirements must be met. First, all the claim limitations must be taught or suggested by the prior art. See M.P.E.P. § 2143.03 (8th ed., Rev. 2, May 2004). Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention. Third, a reasonable expectation of success must exist. Moreover, each of these requirements must “be found in the prior art, not in applicant’s disclosure.” M.P.E.P. § 2143 (8th ed., Rev. 2, May 2004).

**1. Claims 1-4 and 7**

Claim 1 recites, among other things: “a detection section which detects whether or not a voltage of one of the right and left signal channel terminals is substantially equal to a ground voltage, and provides a detection result.”

The Examiner correctly observed that “Matsumoto fails to disclose . . . detecting whether or not a voltage is equal to a ground voltage.” See Office Action, page 4. In addition, the Examiner alleged that Yang teaches this feature and that one of ordinary skill in the art would have been motivated to “modify Matsumoto so that the detection section detects whether or not a voltage is equal to a ground voltage as taught by Yang in order to identify whether a stereo or mono device is connected.” See Office Action, page 5 (citing Yang at col. 4, lines 65-67). However, Matsumoto also identifies whether a stereo or mono device is connected. See Matsumoto, Abstract.

Moreover, Matsumoto describes advantages that would not be achieved in the Examiner’s proposed combination with Yang. For example, the detection circuit in Matsumoto includes voltage divider circuits formed by R1, R2, R3, and R4 (see Matsumoto, Fig. 1) to support a dynamic microphone (i.e., a microphone having its own power source). See Matsumoto, paragraph 14. Yet, in order to modify Matsumoto as proposed by the Examiner, the voltage divider circuits of Matsumoto would necessarily be excluded, as shown in the detection section of Yang. See Fig. 3 of Yang (in particular, the line connecting socket 106 to low pass filter 116). Therefore, there would have been no motivation for a person of ordinary skill to have combined Matsumoto with Yang in a manner resulting in the claimed invention.

Accordingly, the rejection of claim 1 under section 103(a) should be withdrawn. Applicant further submits that claims 2-4 and 7 each depend from allowable independent claim 1 and are therefore also allowable.

## **2. Claim 6**

Independent claim 6, although of different scope, requires a detection section that includes features corresponding to those of claim 1 discussed above. Therefore, as discussed above with respect to claim 1, there would have been no motivation for a person of ordinary skill to have combined Matsumoto with Yang in a manner resulting in the claimed invention.

Moreover, claim 6 recites, among other things: “an A/D converter which converts analog signals into digital signals” and “a detection section which uses the A/D converter to convert a voltage of one of the right and left signal channel terminals into voltage data, compares the voltage data with the predetermined threshold value, thus detects whether or not the voltage of one of the terminals is substantially equal to a ground voltage, and provides a detection result.”

Matsumoto discloses A/D input ports 18a and 18b for detecting left and right terminal voltages, respectively. See Matsumoto, paragraph 27. Matsumoto also discloses a second set of A/D converters 6L and 6R for converting analog voice signals to digital voice data. Id., paragraphs 16-18. In contrast, claim 6 recites an A/D converter that both “converts analog signals into digital signals” and is used by a detection section to “[detect] whether or not the voltage of one of the terminals is substantially equal to a ground voltage.” Yang fails to overcome the deficiency of Matsumoto because Yang similarly discloses, in Fig. 3, a first A/D converter in a

detection circuit (microcontroller 118) and a second A/D converter in an audio signal processor 112. See Yang, col. 4, lines 8-52. Therefore, Matsumoto and Yang, taken alone or in combination, do not teach or suggest each and every element recited in the claims.

Accordingly, Applicant respectfully submits that the rejection of claim 6 under section 103(a) should also be withdrawn.

### **Conclusion**

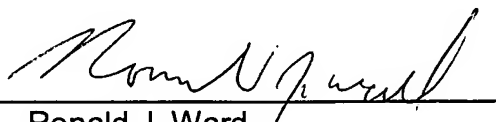
In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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